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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,468	02/28/2002	Arvin D. Danielson	36943XE	5817

7590

02/20/2003

John H. Sherman
c/o Legal Department
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EXAMINER

AZARIAN, SEYED H

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 02/20/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/085,468

Applicant(s)
Arvin A. Danielson

Examiner
Seyed Azarian

Art Unit
2625



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-57 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Feb. 28/2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-24, 26-27, 29, 30-34, 35 and 57, are rejected under 35 U.S.C. 102(b) as being anticipated by Brekka et al (U.S.4,377,741).

Regarding claim 21 and 57, Brekka et al discloses a hand-held data handling device, comprising: a housing; (see Fig. 1, column 3, lines 40-45, hand-held instrument having a "housing").

A keyboard, located on a user accessible surface of said housing, comprising a plurality of individual, user-depressible keys; (see column 5, lines 23-28, control unit 48 has a keyboard and key pad and data enter key).

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A screen input component, located on a user accessible surface of said housing, said screen input component located distinctly from said keyboard; (see column 9, lines 27-35, the information display on screen 38).

An optical information sensing component, housed by said housing; (Fig. 2, see column 3, lines 40-49, the housing 12 supports an "optical character" reader 18).

A computerized data handling system, located internally of said housing, coupled with said keyboard and said screen input component, (see column 3, lines 43-52, "internally" the "housing 12" supports on "optical character reader" and "ink jet printer" and power and data lines 22 are coupled to push button switch (all refer to computerized data)).

Wherein said housing is of a shape and size permitting the data handling device to be hand-held and portable such that data can be input while said housing is held in a user's hand, (see Fig. 5, column 4, lines 46-48, portable control unit which can be carried by "gripping a handle" (or held in a user's hand)).

Regarding claim 22, Brekka et al discloses the hand-held data handling device of claim 21, wherein said optical information sensing component comprises an optical indicia reader, (see Fig. 1, item 18, column 3, line 4-5, an optical character reader).

Regarding claim 23, Brekka et al discloses the hand-held data handling device of claim 22, wherein said optical indicia reader comprises a bar code scanner, (see column 4, lines 9-22, by scanning and optically reading the data such as "stock number identifying a piece of

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merchandise or a vendor number and present pricing information associated with that stock number).

Regarding claim 24, Brekka et al discloses the hand-held data handling device of claim 21, wherein said optical information sensing component comprises an optical communication component, (see column 6, lines 57-68, the optical character reader 18, photocell 128, at the eye 44, which converts optical information (communication), being "scanned to voltage signals" on an output line).

Regarding claim 27, Brekka et al discloses the hand-held data handling device of claim 21, further comprising a wire communication component enabling the hand-held data handling device to communicate via a wired connection, (see column 8, lines 28-38, "via the control bus 110" and column 6, lines 33-40, communication amongst these components is performed over a control bus 110 (via).

Regarding claim 29, Brekka et al discloses the hand-held data handling device of claim 21, wherein said housing is of a shape and size permitting the hand-held data handling device to be gripped in one hand during data entry via said screen input component, (see Fig. 5, column 4, lines 46-48, portable control unit which can be carried by "gripping a handle" (or held in a user's hand), and also column 9, lines 27-35, the information display on screen 38).

Regarding claim 32, Brekka et al discloses the hand-held data handling device of claim 21, further comprising an information storage card, (see column 10, lines 17-26, the control is transferred to block to receive data for storage in RAM 106).

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Regarding claim 33, Brekka et al discloses the hand-held data handling device of claim 32, wherein said information storage card is a user-removable information storage card, (see Fig. 6, items 108 and 109, column 6, lines 5-13, the memory unit can be integrated into a “single chip”).

Regarding claim 34, Brekka et al discloses the hand-held data handling device of claim 21, wherein said screen input component comprises a touch screen, (see column 8, lines 51-57, data words onto data lines 40, 42 to display this information on screens 34, 38).

With regard to claims 26, 30-31 and 35, the argument analogous to those presented for claim 21, is applicable.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25, 28 and 36-45, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brekka et al (U.S.4,377,741), in view of Gombrich et al (U.S.4,857,716).

Regarding claim 25 and 28, Brekka et al fails to disclose “wireless communication and wire-linked telephonic communication system with computerized device”. On the other hand

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Gombrich et al, teaches (see column 2,3 lines 50-63, portable hand held terminal is used for wireless communication and further includes a data over voice modem for data over voice communications over telephone to a computer system).

Therefore it would have been obvious to a person of ordinary skill in the art at time the invention was made, to modify Brekka et al invention according to the teachings of Gombrich et al because it conventional use to represented as a base station for handling the communication interface between a data over voice (DOV) modem and the RF modem as well as communication with the computer system, which implements in an communication device such as portable hand held terminal).

With regard to claim 36, the argument analogous to those presented for claim 25, is applicable.

With regard to claim 37, the argument analogous to those presented for claim 33, is applicable.

With regard to claim 42, the argument analogous to those presented for claim 28, is applicable.

With regard to claims 40 and 41, the argument analogous to those presented for claims 23 and 27, are applicable.

With regard to claims 38-39, and 43-45, the argument analogous to those presented for claim 1, are applicable.

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5. Claims 34, 46-56, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brekka et al and Gombrich et al as applied to claims above, and further in view of Sklarew (U.S.4,972,496).

Regarding claim 46, Brekka et al and Gombrich et al fails to disclose “determining screen area that touch has occurred”. On the other hand Sklarew, teaches (see Fig. 3, column 7, lines 20-33, input screen 33 determining an X,Y position 2,3 on a plate 34 (touch screen) and stylus 35 containing a voltage source, is used to touch screen).

Therefore it would have been obvious to a person of ordinary skill in the art at time the invention was made, to modify Brekka et al and Gombrich et al invention according to the teachings of Sklarew because it provide a conventional resistive type “touch screen” in which a voltage is applied to the screen edges and a stylus detects the voltage at the touched location, which can implements in scanning device such as hand held data entry system.

With regard to claims 48 and 49, the argument analogous to those presented for claims 23 and 25, are applicable.

With regard to claims 47, and 51-52, the argument analogous to those presented for claim 1, is applicable.

With regard to claim 50, the argument analogous to those presented for claim 29, is applicable.

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With regard to claim 53, the argument analogous to those presented for claim 33, is applicable.

With regard to claims 34 and 54-56, the argument analogous to those presented for claim 46, is applicable

Other prior art cited

6. U.S. patent 5,970,170, to Kadashevich et al is cited for character recognition system identification of scanned and real time handwritten characters.

U.S. patent 4,960,981, to Benton et al is cited method of and system for electronic funds transfer via facsimile machines.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (703) 306-5907.

The examiner can normally be reached on Monday through Thursday 6:00 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (703)308-5246.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

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or faxed to:

(703) 872-9314, ("draft" or "informal" communications should be clearly labeled to expedite delivery to examiner)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

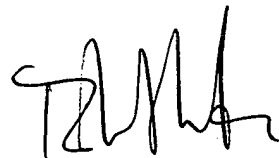
Any inquiry of a general nature or relating to the status of this application should be directed to the T.C. customer service office whose telephone number is (703) 306-0377.

Syed Azarian

Patent Examiner

Group Art Unit 2625

February 10, 2003



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SUPERVISORY PATENT EXAMINER
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